

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KENYATTA THOMPSON,

Plaintiff,

-against-

THE CITY OF NEW YORK, POLICE OFFICER  
CHARLES MCDONALD, POLICE OFFICER LEWIS  
ORTIZ, POLICE OFFICER RICHARD ARROYO,  
DETECTIVE RONALD REYNOLDS, DETECTIVE  
JENNIFER LAVELLE, SERGEANT DOMENICO  
COLAVITO AND NEW YORK CITY POLICE  
DEPARTMENT,

STIPULATION AND ORDER OF  
SETTLEMENT OF ATTORNEYS'  
FEES, COSTS AND EXPENSES

10 CV 4972 (SLT) (JO)

Defendants.

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**WHEREAS**, plaintiff commenced this action by filing a complaint on or about October 28, 2010, alleging violations of his constitutional rights; and

**WHEREAS**, defendants have denied and continue to deny any and all liability arising out of plaintiff's allegations; and

**WHEREAS**, pursuant to the Stipulation and Order of Settlement and Dismissal, plaintiff assigned his right to attorneys' fees, costs, and expenses to his counsel; and

**WHEREAS**, counsel for defendants and counsel for plaintiff now desire to resolve the issue of attorneys' fees, costs, and expenses without further proceedings;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant The City of New York shall pay to plaintiff's counsel, Fink & Katz, PLLC, the sum total of TWO THOUSAND EIGHT HUNDRED FIFTEEN DOLLARS

(\$2,815.00), and Bromberg Law Office, P.C., the sum total of EIGHT HUNDRED NINETY-ONE DOLLARS AND TWENTY-FOUR CENTS (\$891.24), in full satisfaction of plaintiff's attorneys' fees, expenses, and costs. Counsel for plaintiff hereby agree and represent that no other claims for attorneys' fees, costs, or expenses arising out of this action shall be made by or on behalf of plaintiff.

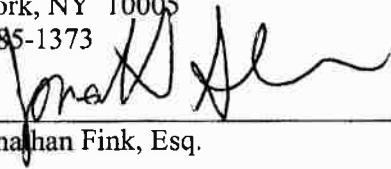
2. In consideration of the payment of TWO THOUSAND EIGHT HUNDRED FIFTEEN DOLLARS (\$2,815.00) to Fink & Katz, PLLC, and EIGHT HUNDRED NINETY-ONE DOLLARS AND TWENTY-FOUR CENTS (\$891.24) to Bromberg Law Office, P.C. by the defendant The City of New York, counsel for plaintiff do hereby release and discharge defendants The City of New York, Police Officer Charles McDonald, Police Officer Lewis Ortiz, Police Officer Richard Arroyo, Detective Ronald Reynolds, Detective Jennifer Lavelle, and Sergeant Domenico Colavito; their successors or assigns; and all past and present officials, employees, representatives and agents of the City of New York, or any agency thereof, from any and all claims of attorneys' fees, expenses and costs which were or could have been alleged in the aforementioned action.

3. Nothing contained herein shall be construed to be an admission of liability by any defendants or the City of New York, nor an admission that any of the allegations made by plaintiff are true or that defendants in any way violated any rights guaranteed to plaintiff by any constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, the City of New York, or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This Stipulation and settlement shall not be admissible in, nor is it related to, any other litigation or settlement negotiations except in an action for attorneys' fees, costs, or expenses relating to this matter.

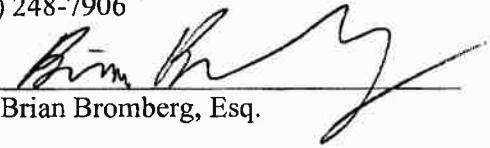
4. This Stipulation and Order contains all the terms and conditions agreed upon by the counsel for defendants and counsel for plaintiff, and no oral agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of attorneys' fees, costs, or expenses shall be deemed to exist or to vary the terms and conditions contained herein.

Dated: New York, New York  
10/14/, 2011

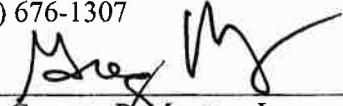
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(212) 676-1307

By:   
Gregory P. Mouton, Jr.  
Assistant Corporation Counsel

SO ORDERED:

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HONORABLE SANDRA L. TOWNES  
UNITED STATES DISTRICT JUDGE